

REMARKS

In the Office Action mailed November 17, 2004, claim 59 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out the subject matter of the claim. Specifically, the Office Action stated that the center winding means, surface winding means, and combination center and surface winding means were not all separate elements as recited in claim 59. Applicants respectfully traverse the § 112 rejection to claim 59. Respectfully, the stated means may be separate elements as called for in claim 59. Specifically, the center winding means may be the mandrel that is configured to roll product by only center winding. Additionally, the surface winding means may be, in one exemplary embodiment, the surface of the rolled product that engages the web on a web transport apparatus so as to roll the rolled product by surface winding. Additionally, the combination center and surface winding means may be, in one exemplary embodiment, the combination of the mandrel, rolled product, and web transport apparatus that all act in order to roll product by a combination of center and surface winding. As such, Applicants respectfully submit that claim 59 is not an indefinite claim and respectfully request the § 112 rejection be removed.

Also in the Office Action, claim 68 was rejected under 35 U.S.C. § 112, second paragraph, for being unclear as to what was meant by the rates recited in the claim that were different. Applicants respectfully traverse the § 112 rejection to claim 68. Respectfully, claim 68 calls for the winding modules to be configured to wind web at

rates that are different than the rate at which cores are loaded onto the winding modules and the rate at which product is stripped from the winding modules. Specifically, since a plurality of independent winding modules are set forth in claim 68, one of the winding modules may wind web at a particular rate while the other winding module may load cores thereon or strip product therefrom at a rate different than the rate at which the first winding module is winding web. Therefore, the winder may be configured so that if the speed at which the web is supplied is increased, the rate at which cores are loaded and product is stripped does not have to also increase. Because different winding modules are present the winder is not limited to the rate at which web is being supplied. Therefore, the loading and stripping functions can be carried out at a slower rate, if desired, than the rate at which web is wound so as to potentially reduce the number of faults in the winder. As such, Applicants respectfully submit that claim 68 does not suffer from any § 112 deficiencies and request the rejection be removed.

In the Office Action, claims 37, 38, 40, 46-48, 50-52, 56, 57 and 70 were rejected under 35 U.S.C. § 102(b) as being anticipated by Morizzo (U.S. Patent No. 4,930,711).

Claim 64 was rejected under 35 U.S.C. § 102(b) as being anticipated by Billingsley (U.S. Patent No. 3,157,371).

Claims 1, 2, 4, 5, 8, 13-17, 20, 22, 24-31, 59, 61-63 and 65-69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann (U.S. Patent No. 5,437,417).

Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and further in view of Diltz (U.S. Patent No. 3,869,095).

Claims 5, 6 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and further in view of Nistri, et al. (U.S. Patent No. 4,583,698).

Claims 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and further in view of Menz, et al. (WO 98/52857).

Claims 9 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and further in view of Johnson, et al. (U.S. Patent No. 5,497,959).

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and further in view of Pretto, et al. (U.S. Patent No. 5,379,964).

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and further in view Dowd (U.S. Patent No. 4,133,495).

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and further in view of Urban (U.S. Patent No. 4,988,052).

Claims 18, 32 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and further in view of Billingsley (U.S. Patent No. 3,157,371).

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and further in view of Oliver, et al (U.S. Patent No. 5,402,960).

Claims 34-36 and 63 were rejected under 35 U.S.C. § 103(a) as being

unpatentable over Morizzo in view of Kammann and further in view of Little (U.S. Patent No. 1,648,990).

Claims 1, 2, 4-6, 9, 10, 13, 14, 21, 23, 67 and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson, et al. (U.S. Patent No. 5,497,959) in view of Kammann.

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson, et al. in view of Kammann and further in view of Urban (U.S. Patent No. 4,988,052). Claims 39, 40, 53 and 58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Billingsley (U.S. Patent No. 3,157,371).

Claim 41 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Nistri, et al. (U.S. Patent No. 4,583,698).

Claim 42 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Johnson, et al. (U.S. Patent No. 5,497,959).

Claim 43 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Dowd (U.S. Patent No. 4,133,495).

Claims 45 and 50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Diltz (U.S. Patent No. 3,869,095).

Claim 49 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Menz, et al. (WO 98/52857).

Claims 54 and 55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo.

As stated, claims 37 and 38 were rejected under 35 U.S.C. § 102(b) in view of

Morizzo. Applicants have amended claims 37 and 38 to call for a winder that is configured so that the mandrels are configured for rotation by the winding modules independent of the rolled product during center winding. Support for this claim amendment may be found on at least page 14, lines 16-20 of Applicants' application. Morizzo discloses a fabric winder that is configured to wind a fabric sheet 10 through only surface winding (see Morizzo at column 3, lines 57-65). As such, the roll 22 in Morizzo is not wound onto a mandrel that is configured for rotation by the winding modules independent of the rolled product during center winding. In fact, Morizzo is not even configured to employ center winding or combinations of center and surface winding as set forth in claims 37 and 38. The roll 22 in Morizzo is formed through surface winding upon engagement by rollers 58, 62 and 88. As such, Applicants respectfully submit that claims 37 and 38 define over Morizzo and are in condition for allowance. Further, claim 70 that depends from claim 38 is also in condition for allowance as the rejection to claim 70 is made moot due to the allowance of claim 38.

As stated, claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann. Respectfully, the combination of Morizzo and Kammann does not disclose a winder for winding a web in which the web is fed continuously to a web transport apparatus. Support for this claim amendment may be found on at least page 13, line 23 to page 14, line 3; page 16, lines 20-24; page 17, lines 3-5; page 21, lines 13-14; page 22, lines 1-14; page 2, lines 17-19; page 4, lines 11-14; and on page 8, lines 7-12. Claim 1 calls for a winder in which the winding modules are structurally independent of one another so that if one winding module

becomes disabled or experiences a process fault another winding module can still operate to produce the rolled product without shutting down the winder. Inherently, since the winding modules are capable of operation independent of one another and do not shut down if a process fault occurs, the web may therefore be continuously fed to the web transport apparatus even during times when a process fault occurs. The web supply to the web transport apparatus will not have to be stopped if a process fault occurs because the second winding module may be programmed so as to immediately begin winding web even through the first winding module is disabled.

Morizzo does not disclose a winder in which web is fed continuously to a web transport apparatus. Morizzo discloses a winder for stopping the travel of the web in order to cut out a defect in the web and then restart winding on the same module (see Morizzo at column 10, lines 43-46). Advancement of the web in Morizzo is temporarily ceased in order to remove the defective portion (see Morizzo at column 10, lines 43-44). In fact, Morizzo explicitly discloses a device that will cause an interruption in the feeding of the web but seeks to minimize the disruption to the winding process (see Morizzo at column 9, lines 9-12). The web in Morizzo is not capable of being fed in a continuous manner but is only capable of being fed in a “nearly continuous” fashion (see Morizzo at column 10, lines 1-4).

The faults concerned with in Morizzo are faults that involve breaking of the web. Morizzo does not disclose a device or method for removal of the web if a fault occurs such that web may be continuously fed to the winder. In Morizzo, the winder must be stopped in order to get the web out of the winding assemblies 20, 20' if a fault in the

winding assemblies 20, 20' occurs. Morizzo teaches cutting out a defective portion of the web and then overlapping the web in order to continue winding. Morizzo does not teach how to cut out the defect and overlap the web without stopping the web that is supplied to the winder. In fact, Morizzo explicitly discloses stopping the supply of web during the severing operation (see Morizzo at column 7, lines 25-28 and 40-44).

Claim 1 of Applicants' application calls for another winding module to still operate and produce the rolled product without shutting down the winder such that the web is fed continuously to the web transport apparatus. This structure is not disclosed in Morizzo which is instead only concerned with minimizing disruption of the winding process such that the web can be transported in a nearly continuous fashion during web breaks. Morizzo does not disclose any type of structure that goes towards the web being fed continuously to a web transport apparatus if one or more winding modules becomes disabled or experiences a process fault. Applicants realize that since two winding modules 20 and 20' are present in Morizzo, Morizzo could conceivably be reconfigured so as to be capable of winding with only one of the winding modules 20 or 20' if the other were disabled. However, Morizzo does not disclose a way in which this can occur should one of the winding modules 20 or 20' become disabled or experience a process fault. In such an instance, the feeding of the web to the device in Morizzo would have to be stopped in order to cut the web and allow for subsequent winding by the operational module 20 or 20'.

Kammann also does not disclose a winder that includes a plurality of independent winding modules such that one winding module can still operate to produce

the rolled product without shutting down the winder so that the winder is fed continuously to the web transport apparatus as set forth in claim 1 of Applicants' application. Kammann discloses only a single drum winder and provides no motivation what so ever for producing a device that has the capability to run while a winding module is disabled. As such, Applicants respectfully submit that the combination of Morizzo in view of Kammann does not disclose a winder as set forth in claim 1 of Applicants' application. Therefore, Applicants submit that claim 1 defines over the combination of Morizzo and Kammann.

Additionally, Applicants respectfully submit that it would not have been obvious for one having ordinary skill in the art to combine Morizzo and Kammann in the first place. Morizzo does not include a mandrel that is independently driven so as to be capable of rotation without contacting the paper web or another surface. Morizzo is directed towards a pure surface winding apparatus. In order to incorporate the center drive capability of Kammann into Morizzo, several major aspects of the Morizzo winder would have to be changed such as core loading and log stripping. An apparatus used to support, move and drive the mandrel would have to be added in Morizzo. Morizzo teaches core loading by releasing a core and relying on gravity to insert the core into the winding pocket between rolls 58, 62 and 88. Log stripping in Morizzo is accomplished by tilting the apparatus and using gravity to unload the finished roll. It would not have been obvious for one having ordinary skill in the art to completely change the core loading and log stripping functions in Morizzo by looking at Kammann because doing so would completely change the winder of Morizzo.

Claim 1 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson, et al. in view of Kammann. The winding modules (15, 16, 17 and 18) and (15', 16', 17' and 18') in Johnson are not independent but are instead dependent on one another. If one of the winding modules in Johnson breaks, the other winding module could not run in order to produce rolled product without shutting down the winder. Johnson does not disclose any way in which a winding module could operate to produce rolled product without shutting down the winder so that the web could be fed continuously to a web transport apparatus as set forth in claim 1 of Applicants' application. The winder in Johnson would require that advancement of the web be stopped in order to fix or reconfigure the winder in order to continue producing rolled product.

As stated above, Kammann does not disclose a winder that has the capability to run in order to produce rolled product if a winding module becomes disabled or experiences a process fault. Applicants respectfully submit that any combination of Johnson and Kammann would produce a resulting device that would not be capable of operating to produce a rolled product without shutting down a winder so that the web is fed continuously to a web transport apparatus as set forth in claim 1 of Applicants' application.

Further, Applicants respectfully submit that it would not have been obvious for one to combine Johnson and Kammann. Johnson is directed towards a device that has the ability to produce product through surface winding such that the resulting product is coreless. In fact, the title of Johnson is "Coreless Winding Method and Apparatus."

Kammann is specifically directed, in stark contrast, to a winder that has the ability to wind through center winding. As such, it would not have been obvious for one having ordinary skill in the art to modify Johnson in view of Kammann because these two references are set up to wind web in completely different manners. Further, Applicants respectfully submit that it would not have been obvious for one to adapt a single drum winder as in Kammann to one that is a three-drum winder as in Johnson.

As such applicants respectfully submit that claim 1 defines over the combination of Johnson in view of Kammann and also submit that the aforementioned combination would not have been obvious for one having ordinary skill in the art.

Applicants respectfully submit that claim 1 defines over the combination of Morizzo in view of Kammann and the combination of Johnson in view of Kammann and is in condition for allowance. Further, all claims that depend from claim 1 (claims 2-30 and 67-69) are also in condition for allowance. The rejections to claims 2-30 and 67-69 are made moot due to the allowance of claim 1.

As stated, claim 34 was rejected under 35 U.S.C. § 103(a) over Morizzo in view of Kammann and in view of Little. Claim 34 has been amended in order to call for a method for producing a rolled product that includes the step of feeding a web continuously to a web transport apparatus. Applicants respectfully submit that Morizzo and Kammann do not disclose a winder that includes winding modules that can still wind the web to produce rolled product if one of the winding modules becomes disabled or experiences a process fault so as to allow for the web to be fed continuously to the web transport apparatus. As discussed above with respect to independent claim 1, both

Morizzo and Kammann disclose winders that require the web to be stopped should a process fault or a disablement of a winding module occur. Likewise, Little does not disclose a winder in which web can be fed continuously to a web transport apparatus so that if one of the winding modules becomes disabled or experiences a process fault the remaining winding modules can still operate to produce rolled product without shutting down the plurality of winding modules. If one of the winding modules in Little breaks or experiences a process fault, supply of the sheet rubber stock 10 would have to be stopped until the winding module were repaired or process fault was corrected. As such, Applicants respectfully submit that the combination of Morizzo, Kammann and Little does not disclose the method as set forth in claim 34 of Applicants' application and that claim 34 is in condition for allowance. Further, all claims that depend from claim 34 (claims 35 and 36) are also in condition for allowance. The rejections to claims 35 and 36 are made moot due to the allowance of claim 34.

As stated, claim 64 was rejected under 35 U.S.C. § 102(b) as being anticipated by Billingsley. Applicants have amended claim 64 in order to call for a winder with a plurality of independent winding modules such that if one winding module becomes disabled or experiences a process fault another winding module can still operate to produce the roll product without shutting down the winder so that the web is fed continuously to the web transport apparatus. This type of run through feature is not disclosed in Billingsley. In Billingsley, should one of the shafts 17 or 18 become disabled, supply of the strip 11 to the winding drum 14 will have to be stopped because both shafts 17 and 18 are responsible for winding the product onto winding drum 14. As

such, Applicants respectfully submit that claim 64 defines over Billingsley and is in condition for allowance.

As stated in the Office action of November 17, 2004, claims 31, 59, 61, 62, 65 and 66 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann. Applicants have amended claims 31, 59, 61, 62, 65 and 66 so as to call for a winder or a method where if one winding module becomes disabled or experiences a process fault another winding module can still operate to produce the rolled product without shutting down the winder so that the web is fed continuously to the web transport apparatus. Applicants respectfully submit that claims 31, 59, 61, 62, 65 and 66 define over the combination of Morizzo in view of Kammann for essentially the same reasons as discussed above with respect to the rejection of claim 1 concerning Morizzo in view of Kammann and are in condition for allowance. Further, all claims that depend from claim 31 (claims 32 and 33) are also in condition for allowance. The rejections to claims 32 and 33 are made moot due to the allowance of independent claim 31.

Claim 63 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morizzo in view of Kammann and as being unpatentable over Morizzo in view of Kammann and in view of Little. Applicants have amended claims 63 in order to call for a method of producing a rolled product that includes the step of feeding a web continuously to a web transport apparatus. Additionally, the winding modules in the method act independently of one another so that if one winding module becomes disabled or experiences a process fault the remaining winding module can still wind the

web to produce the rolled product without shutting down the other winding module.

Applicants respectfully submit that claim 63 defines over the combination of Morizzo in view of Kammann for essentially the same reasons as discussed above with respect to claim 1 regarding Morizzo in view of Kammann. Further, Applicants respectfully submit that claim 63 defines over the combination of Morizzo in view of Kammann in view of Little for essentially the same reasons as discussed above with respect to claim 34. As such, Applicants submit that claim 63 is in condition for allowance.

Applicants respectfully submit that all claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at his convenience to resolve any remaining issues.

Respectfully submitted,

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